

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

ROCKWELL AUTOMATION  
TECHNOLOGIES, INC.,

*Plaintiff,*

v.

SECURE CROSSING RESEARCH  
AND DEVELOPMENT INC.,

*Defendant.*

Case No. 2:12-cv-10274-GCS-MKM

Honorable George Caram Steeh  
Magistrate Mona K. Majzoub

**NOTICE TO COURT REGARDING COMPLIANCE WITH FEBRUARY 1, 2013  
ORDER REGARDING PROTECTIVE ORDER**

Plaintiff Rockwell Automation Technologies, Inc. hereby notifies the Court, pursuant to its February 1, 2013 Order, that the parties have been unable to reach agreement regarding a Stipulated Protective Order concerning the subject matter raised in (a) Defendant's Motion to Quash (Dkt. 68) and (b) during the February 1, 2013 Telephonic Conference before Magistrate Judge Mona K. Majzoub. Plaintiff states that it exchanged a draft proposed Protective Order with Defendant in which is made efforts to address Defendant's concerns regarding third party discovery, as well as the production of Defendant's source code. Plaintiff believed the parties had reached agreement on the terms of a propose order until Defendant conditioned the agreement, at the last minute, on withdrawal of the Order from the Texas Court concerning the third party subpoenas of Christopher Buechler. Plaintiff cannot agree to seek withdrawal of the Texas Order because Mr. Buechler counsel's has previously noted that he will only produce documents pursuant to that Order. As a result, Plaintiff is submitting, concurrently with this Notice and via the Court's ECF proposed order link, the proposed Protective Order that it

believes protects such information and was the last agreed upon version of the proposal before Defendant withdrew its consent.

Dated: February 4, 2013

/s/ Deborah J. Swedlow

J. Michael Huget (P39150)  
Deborah J. Swedlow (P67844)  
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**COUNSEL FOR PLAINTIFF ROCKWELL  
AUTOMATION TECHNOLOGIES, INC.**

**CERTIFICATE OF SERVICE**

I, Deborah J. Swedlow, hereby certify that on Mon, Feb 4, 2013, I filed the foregoing using the Court's ECF system, which will serve counsel of record by email notice.

Dated: February 4, 2013

By: /s/ Deborah J. Swedlow  
J. Michael Huget (P39150)  
Deborah J. Swedlow (P67844)  
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**ATTORNEYS FOR PLAINTIFF  
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